

The International Institute for Middle-East and Balkan Studies (**IFIMES**) in Ljubljana, Slovenia, regularly analyses events in the Middle East and the Balkans. IFIMES has prepared an analysis of the current political situation in view of the forthcoming local elections in Bosnia and Herzegovina (BiH) which are to take place on 5 October 2008. The most relevant and interesting sections from the comprehensive analysis are given below.

IS REPUBLIKA SRPSKA ARMING ITSELF?

OCTOBER 5th – LOCAL ELECTIONS IN THE BOSNIAN WAY

At the fourth post-war local elections in Bosnia and Herzegovina 3,024,127 citizens will have the right to vote among the 280 political bodies comprising 72 political parties, 41 coalitions, 147 independent candidates and 20 lists of independent candidates. Altogether 29.043 candidates have been verified, of which 64.72 % are men and 35.28 % women. Notably, 24 % of candidates are aged 30 or younger.

At the forthcoming local elections the citizens of BiH will elect: the municipal councils or municipal assemblies, mayors of municipalities, the Assembly of the Brčko district of BiH, the Municipal Council of the city of Mostar, the Assembly of the city of Banja Luka and the mayor of the city of Banja Luka. The organisation of the elections will cost somewhat over € 5.5 million.

For the first time there are also 106 candidates competing for 37 mandates which belong to national minorities.

The territory of the municipality of Srebrenica is due to the genocide executed there during the war subject to special electoral system. The Central Electoral Commission of BiH has namely given the right to vote to all those who resided in this municipality in 1991 although they are currently not registered as residing there. About 5,087 voters have decided to participate in such "absence" voting.

The elections will be supervised by the representatives of the Council of Europe and other organisations.

The Election Act of BiH provides for the sanctions for using instigating and incendiary rhetorics in the election campaign. The Central Electoral Commission has called upon all the competing candidates to respect the legal provisions and code of conduct, emphasising the prohibited use of rhetorics based on hatred and the eventual sanctions against parties, coalitions or independent candidates who commit such violations. The Central Electoral Commission is authorised to impose a penalty

of up to € 5,000, to delete the name of the candidate from the candidate list if personal liability is established for the violation of legal provisions and, in the most severe cases of violations, to revoke the verification of the candidate.

Unlike the Serbian elections on 5 October 2000 when Milošević's regime was overthrown, the forthcoming local elections in BiH will not bring any significant political changes. There is an apparent stagnation of Dodik's SNSD (Alliance of Independent Social Democrats) and Silajdžić's SBiH (Party for BiH), while the retrograde political forces, which can not ensure the progress of BiH, have retained a strong position.

ARMING AND TRADING (SMUGGLING) IN WEAPONS

Ministers of the Interior of Republika Srpska (RS) and the Republic of Serbia Stanislav Čađo and Ivica Dačić met without the knowledge of the state of BiH on 6 September 2008 in Banja Luka to talk about improving the co-operation between their police forces. However, instead of discussing the apprehension of the war crimes suspect Ratko Mladić they talked about the arming of Republika Srpska through the Ministry of the Interior and the Police, since it is practically impossible to achieve non-transparent arming through the Armed Forces of BiH which were formed as a joint institution under strong supervision of NATO.

During the past few months Minister Čađo has met the ministers of the interior from the countries in the region without the knowledge of the state of Bosnia and Herzegovina, which points to secret arming activities of Republika Srpska in its attempts to gain independence. Therefore it is not a coincidence that Dodik's party has launched a strong media campaign revealing the trade in weapons and explosives with the police forces of the neighbouring states in order to question the apprehension of high officials from the Ministry of the Interior of Republika Srpska by the EUPM (European Union Police Mission in BiH) and, even more importantly, to divert attention away from the arming of the police force of Republika Srpska.

On 22 August 2008 Minister Čađo met Slovenian Minister of the Interior Dragutin Mate at the Slovenian town of Otočec, again without the knowledge of the state of Bosnia and Herzegovina, in order to discuss the co-operation in the field of fighting terrorism between Slovenian police force and the police force of Republika Srpska which was responsible for the genocide in Srebrenica. Namely, Slovenia's experiences in arming during its process of gaining independence are of great value for Republika Srpska, as Slovenia had also armed itself through the police force. There has been no reaction from the responsible bodies such as the Committee for Defence and Security of the National Assembly of Republika Srpska, EUPM and EUFOR. Although formally accepted, the BiH police reform was not successfully implemented. The three European principles were not applied, since the laws which were adopted could

not be implemented in practice. Thus status quo is preserved, which represents a threat for security in BiH, the region and the EU.

In Bosnia and Herzegovina, the trade in weapons and war equipment is a well-developed activity. Agents from BiH export (smuggle) weapons to various crisis areas, for example:

- The aircraft company "Orao" from Bijeljina, Republika Srpska, had violated the UN embargo against Iraq providing weapons to Saddam Hussein's regime. According to the contract "Orao" was to provide spare parts for 20 sets of MIG-21 jet aircraft. The former Prime Minister of Republika Srpska Mladen Ivanić has never answered for having violated the embargo. Mladen Ivanić is currently one of the Vice-Presidents of the Parliamentary Assembly of the Council of Europe. The arming of Saddam Hussein's regime was revealed to the public in 2002.
- In 2002 Bosnia and Herzegovina exported weapons to Cameroon. The former BiH Minister for Foreign Affairs Zlatko Lagumdžija received a strong warning over such trade.
- Amnesty International and western analysts (The Guardian, 15 September 2008) pointed to the export of weapons from BiH to Iraq (93,800 pieces of kalasnjikov).
- For over one year, BiH has been on Russia's list of states providing weapons to Georgia (exports amounting to \$ 10 million). BiH Presidency Chairman Haris Silajdžić denied those claims on 14 August 2008.

The question is whether the trade in weapons is realised through the state channels or through agents. Who are the agents? Who receives the commission? Is the Office of the High Representative for BiH (OHR) aware of the trade in (smuggling of) weapons? The volume of trade in weapons in the Balkans raises serious concern since it may end in the hands of terrorists and criminal groups.

According to The Guardian, the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), which has a mandate from the United Nations Development Programme (UNDP) and The Stability Pact for South Eastern Europe (SCSP), has been investigating the trade in weapons and its connection with the officials from Bosnia and Herzegovina including Dodik and Silajdžić.

In investigating the trade in weapons it is of vital importance to examine the role and responsibility of the authorities of both entities of Bosnia and Herzegovina as well of the OHR.

ORGANISED CRIME AND CORRUPTION

Organised crime and corruption are the "cancerous wound" of the society and the state of Bosnia and Herzegovina. There is an obvious connection between the political

elite and criminal structures. According to the latest data from Transparency International, Bosnia and Herzegovina is ranked 92nd to 95th together with Algeria, Lesotho and Sri Lanka, which is the worst position of all the states of the former Yugoslavia. The best position in the region was given to Slovenia which is ranked 26th, followed by Croatia at 62nd position, Macedonia at 72nd position, while Serbia, Montenegro and Albania share 85th to 91st positions. Due to their direct connection with organised crime and corruption the governments and the political elites of both entities of Bosnia and Herzegovina are inevitably responsible for the situation.

THE AUTHORITIES OF REPUBLIKA SRPSKA LET THE WAR CRIMES CONVICT FREE

The escape of war crimes convict Radovan Stanković from the prison in Foča in May 2007 still has not been investigated. According to some relevant information the authorities of Republika Srpska were connected with Stanković's escape, therefore they have not performed the appropriate investigation nor revealed and punished the responsible persons. First of all, the responsibility lies with the management of the prison in Foča as well as with the Minister of Justice of Republika Srpska Džerard Selman who should have been displaced and put on trial for the inadmissible failures in ensuring the prison security.

The falsification of CIPS (Citizen Identification Protection System) documents in the territory of Republika Srpska also points to the critical situation within the Ministry of the Interior of Republika Srpska which is getting out of control. Seven persons have been arrested in connection with CIPS, including the head of the Criminal Police in Bijeljina. The police action was carried out without the knowledge of the Police Force of Republika Srpska, which is reasonable since being the suspects they would probably not have allowed to be arrested. Neither EUFOR and EUPM nor the Ministries of the Interior of Republika Srpska and the Federation of BiH have disarmed the citizens of both entities yet. As many as 3,400 persons from the states which emerged from former Yugoslavia who became the citizens of Bosnia and Herzegovina have not been recorded in CIPS.

Daily assaults on the non-Serbs and the Islamic Community buildings in Republika Srpska are reported, with as many as eight attacks committed in only one night last September. The vulnerable security situation in Republika Srpska and the State of BiH as a whole has reached alarming dimensions, especially in view of the forthcoming local elections.

USING POLITICAL FUNCTIONS FOR PRIVATE PURPOSES

The public is very often confused with the way the members of BiH Presidency perform their functions. It is sometimes not clear in which function individual politicians are carrying out their activities. Thus the member of BiH Presidency

Željko Komšić confused the public when he visited the grave of Milan Jelić (former President of Republika Srpska) as it was not clear whether his visit was private or on behalf of the Croatian nation or in his function as member of BiH Presidency. Similar situations were observed in cases of Radmanović and Silajdžić. For example, the politicians in Republika Srpska reacted to statements of the BiH Presidency Chairman Haris Silajdžić at the UN General Assembly, who used this opportunity for his election goals and described his presence there as of private nature. The fact is that state presidents, prime ministers and ministers of foreign affairs represent the state and that their public statements are binding, therefore their appearance can not be private. Thus US President George W. Bush or Secretary of State Condoleezza Rice never appear in the UN or elsewhere in their private role. The politicians in BiH relate many issues to the national interests only to conceal their criminal activities. For example, Mladen Ivanić and the persons connected with the "Srpske šume" case did not perform the criminal activities in the interests of the Serbian nation, but for their private interests and profits. Dodik also works for his private interests, aiming to create a state modelled on the regime of Milo Đukanović (Montenegro) with a strong pyramidal criminal structure. In view of the above the question is whether Minister Čađo visited Slovenia as the Minister of the Interior of Republika Srpska or as the owner of "TGT Tehnogas" Banja Luka or perhaps even as Dodik's private envoy?

Moreover it is not clear in what role Minister Čađo visited Israel in September 2008 and why Israeli authorities allowed his appearance at the conference on fighting terrorism if they knew what role the Ministry of the Interior and the Police Force of Republika Srpska played during the last war in Bosnia and Herzegovina and how inactive Čađo has been in arresting the war crimes convicts, and if they were aware of the fact that SNSD publicly expressed antisemitism against the BiH Minister of Foreign Affairs Sven Alkalaj and Miroslav Mikeš.

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BRČKO DISTRICT TO UNITE WITH REPUBLIKA SRPSKA

Member of BiH Presidency Nebojša Radmanović recently presented a changed SNSD position on the future status of the Brčko District to the public and to the Brčko supervisor and Deputy High Representative in BiH Raffi Gregorian. According to available information, Silajdžić does not find it unacceptable to unite the Brčko District (former part of RS) with Republika Srpska in order to form a uniform territory of Republika Srpska as a next step towards its independence.

The Brčko District is the most successful project of the international community in Bosnia and Herzegovina and in the region. The course of events in Bosnia and Herzegovina resembles the scenario of events in South Ossetia, with the neighbouring state of Serbia taking over Russia's role.

DODIK'S TRAP FOR THE CROATS IN BiH

A channel in the Croatian language, the third entity and creating tensions with the Bosniaks are all a part of Dodik's strategy in which certain Croatian politicians in Bosnia and Herzegovina have been trapped.

When looking for the solutions to the political and other problems in Bosnia and Herzegovina as a complex multiethnic and multireligious state, the interests of all the citizens regardless of their ethnic or religious origin should be taken into account and protected. However, the interests of numerous national minorities in BiH who do not belong to any of the three constitutive nations (Serbs, Bosniaks and Croats) are often neglected. The national minorities are discriminated against even in the electoral system of BiH which contravenes many international conventions and which prevents the representatives of national minorities to be elected to certain political functions. Due to the division of BiH into two entities, discrimination is also present against Serbs living in the Federation of BiH as well as against Croats and Bosniaks living in Republika Srpska.

DODIK OFFENDED US ADMINISTRATION

With his acts and statements Milorad Dodik has offended the international community and its representatives in Bosnia and Herzegovina, especially the USA and its representatives, hoping that the international community would leave Bosnia and Herzegovina and abolish the OHR/EUSR institutions.

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The connection with the criminal political structures is evident from the information that the Government of Republika Srpska informed the Prosecutor's Office of BiH that the institutions of Republika Srpska are not obliged to submit information to the State Investigation and Protection Agency (SIPA). At its 90th meeting held on 11 September 2008 the Government of Republika Srpska instructed the Tax Authority of

Republika Srpska and other institutions of RS not to submit copies of tax declarations to SIPA and the Prosecutor's Office for two companies connected with Dodik: Integral inženjering d.o.o, Laktaši, and Integra inženjering d.o.o Banja Luka. In its previous analyses IFIMES already presented the so called "construction mafia" and its connection with Dodik and Silajdžić.

Thus the Government of Republika Srpska has put the independence of justice and the operational activities of the police under question. There has even been reaction from OHR/EUSR which made the following statement: *"this is a case of obstructing justice and the rule of law, while the conclusion adopted by the Government of Republika Srpska represents a violation of the State Investigation and Protection Agency Act, Criminal Procedure Act of Bosnia and Herzegovina and the Courts Act of Bosnia and Herzegovina."*

Following the international pressures the Republika Srpska Government started to submit the documents which might help reveal the criminal acts supported and managed by Milorad Dodik. After the revision of the court proceedings against Dodik the existing 33 items in the indictment for serious crimes will be extended with new items covering to the period from 2006 till present.

At the poorly prepared visit and talks on the constitutional amendments with the leaders of political parties of Bosnia and Herzegovina on 9 September 2008 in Sarajevo Dodik offended also Deputy Assistant Secretary of State for European and Eurasian Affairs Stuart Jones. Apart from Dodik, the most offending statements against the US administration were expressed by SNSD Executive Secretary Rajko Vasić.

ANOTHER CASE OF ANTISEMITISM AND ANTI-AMERICANISM

Recent attacks against BiH Minister of Foreign Affairs Sven Alkalaj on the occasion of his visit to the USA represent a new/old case of antisemitism and anti-Americanism expressed by Prime Minister of Bosnia and Herzegovina Nikola Špirić and Dodik's SNSD. Strong antisemitism has been present for some time in SMSD and after the USA imposed sanctions against SNSD in February 2008 there is also growing anti-Americanism present in the party. The political convert Špirić and Dodik's SNSD were displeased with Minister Alkalaj's visit to the USA, the state which helped establish and preserve peace in BiH and the region, as well as with the active involvement of Principal Deputy High Representative in BiH Raffi Gregorian in revealing criminal activities in Republika Srpska and the whole BiH in connection with Dodik's regime. Individual high officials of SMSD have also expressed strong antisemitism against Miroslav Mikeš.

In February 2008 the US administration imposed some "quiet" sanctions on SNSD when three US agencies including the United States Agency for International Development (USAID), the National Democratic Institute (NDI) and the International Republican Institute (IRI) ceased to provide aid to SNSD whose President is the Prime Minister of Republika Srpska Milorad Dodik. The US Government decided to suspend the financing when it estimated that SNSD no longer fulfils the criteria for USAID aid programme. The US administration namely does not provide financial or technical assistance to any political and/or nationalistic party in Bosnia and Herzegovina whose activities are based on ethnic preference or nationalism. The political programme of SNSD is not in line with Bosnia and Herzegovina's tendencies towards the Euroatlantic integration. The US Administration established that the actions and statements made by SNSD have not contributed to the progress of Bosnia and Herzegovina, are not in line with the Dayton Agreement and do not support the state institutions necessary for realising the state's Euro-Atlantic integration.

LAJČÁK RESPONSIBLE FOR THE SITUATION IN BiH

A large part of the responsibility for the present situation in Bosnia and Herzegovina lies with the High Representative for Bosnia and Herzegovina Miroslav Lajčák who has further aggravated the already complicated relationships in Bosnia and Herzegovina due to his (in)adequate activities. It would be reasonable to wonder whether this represents a new defeat of EU politics after the defeat in Georgia.

EU should examine the roles of all the former High Representatives for Bosnia and Herzegovina (Carl Bildt, Carlos Westendorp, Wolfgang Petritsch, Paddy Ashdown, Christian Schwarz Schilling) including Lajčák and consider dismissing Lajčák due to his poor results and further destabilisation of BiH.

If the international community reacts too late again, as it did in 1991 and 1992, further development of conflicts in Bosnia and Herzegovina may be expected, eventually leading to the defeat of the EU and USA politics in this country.

WILL THE PROSECUTOR'S OFFICE AND THE COURT OF BiH FAIL THE TEST?

It is most curious that the Prosecutor's Office and the Court of Bosnia and Herzegovina have failed to process over 8,000 cases assigned to them by the Hague Tribunal. Both institutions have submitted to the pressures of the politics and are dealing with thousands of new cases which were prepared by the so-called associations and quasi-NGOs directly influenced by the politics. The new strategy of dealing with war crimes is based on the nationally balanced selection of cases which causes offence to the victims of war crimes and their families.

Analysts have warned that the Prosecutor's Office and the Court of BiH should primarily deal with the cases assigned to them by the Hague Tribunal.

Those responsible for war crimes must be punished regardless of their nationality. Analysts believe the trial of war crimes to be the greatest challenge for the justice system of Bosnia and Herzegovina. Namely, the mass and individual war crimes were committed by a vast number of individuals who are still free and live unpunished in BiH, countries of the region and even in the EU.

Analysts suggest that the West Balkan states, the EU and the USA should verify the citizens who immigrated there from the countries formed in the region of the former Yugoslavia and investigate their role in the latest wars and their potential connection with the war crimes.

A NON-SERB TO LEAD THE SERBIAN NATION IN BiH

Milorad Dodik's days are numbered and the international community has found his successor. According to reliable information from the international community circles, Dodik's successor to lead SNSD will not be of Serbian nationality. They are also looking for a successor to Haris Silajdžić, although it has not been decided who that could be since most of those surrounding him are deeply connected with crime and criminal structures.

REGIONAL STRUCTURE OF BiH

One of the key issues in Bosnia and Herzegovina is its regional structure. The question of how many regions BiH should have will strongly affect the constitutional amendments. The fact is that during the Ottoman period and, later on, the Austro-Hungarian period Bosnia and Herzegovina was divided into six regions (Bihać, Banja Luka, Sarajevo, Tuzla [Zvornik], Zenica [Travnik], Mostar). Another region (Doboj) was added during the socialist period in the former Yugoslavia. The regional structure will represent the political structure of Bosnia and Herzegovina.

THE EUROPEAN DAY OF MOURNING FOR SREBRENICA

Milorad Dodik and Haris Silajdžić are obviously misusing the Srebrenica tragedy, the former in order to bring genocide in Srebrenica under relativity and the latter to misuse the mothers of Srebrenica and Žepa for the election campaign purposes.

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There are ever stronger initiatives to pronounce July 11 as the European day of remembering Srebrenica and other tragedies in Europe such as the Holocaust. This will represent a challenge for the European Parliament and other EU institutions which are expected to support this initiative on the moral and civilisational grounds and to declare July 11 "the day of mourning for Srebrenica 1995" or the day of mourning in Europe.

DODIK'S POLITICS AS THE BASIS FOR OHR/EUSR EXISTENCE

Analysts have warned of the deleterious effects of Dodik's politics, wandering whether the EU and the global world have any prospects if Bosnia and Herzegovina can not exist as a multiethnic and multicultural society. Dodik's ideas represent a threat to the future of Bosnia and Herzegovina, the region and the modern world which is based on diversity.

Dodik's politics have constantly contributed to the aggravation of the situation in BiH, thus creating the atmosphere which necessitates the presence of the international community in Bosnia and Herzegovina and the prolongation or even strengthening of the OHR/EUSR mandate.

OHR/EUSR will form a part of BiH internal structure as long as BiH has two entities. In order to abolish OHR Bosnia and Herzegovina must change its entity structure. Failure to do so may lead to gradual "Ossetiation" of BiH and a long-term crisis in this country which is of key importance for the stability in the Balkans. Russia's strategy is to remove the instruments of western political authority from Bosnia and Herzegovina by creating the conditions for excluding BiH from the Euro-Atlantic integration processes. Unless the EU and USA prepare a new constitutional formula for BiH (to replace the obsolete Dayton Agreement) they will soon experience the defeat of their politics.

HOMOSEXUALS AND LESBIANS UNWANTED IN BiH

"Queer" festival was held recently in Sarajevo. Eight participants were injured in the attack on 24 September 2008 and taken to the Sarajevo Clinical Hospital. "Queer" festival is a story of violating human rights. Although Minister of Civil Affairs Safet Halilović condemned the attacks, the Party for BiH whose Vice-President he is still has not imposed any sanctions on its municipal committee in Sarajevo which had made the following intolerant statement: *"Queer festival has undermined the Ramadan atmosphere, especially as it takes place during its third and most important part when all those who respects the tradition and the meaning of the holy month do not dare to express any material reaction."*

Human rights are endangered in Bosnia and Herzegovina where the European Convention on Human Rights is systematically violated in terms repatriation and return of refugees and displaced persons, discriminatory election regulations, Presidency and Parliament members, national minorities, persons of different sexual orientation such as homosexuals and lesbians etc.

Prime Minister of Republika Srpska Milorad Dodik violated human rights of homosexuals and lesbians when he called for their lynching and publicly labelled the leading officials of Transparency International BiH as homosexuals. Obviously homosexuals and lesbians are unwanted for Dodik and some others in Bosnia and Herzegovina.

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International Institute for Middle-East
and Balkan Studies (IFIMES) – Ljubljana
Director:
Bakhtyar Aljaf



Ifimes

Mednarodni inštitut za bližnjevzhodne in balkanske študije
International Institute for Middle-East and Balkan Studies
Tivolska 50, p.p. 2795, 1001 Ljubljana, Slovenia

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